

REMARKS

Claims 1-9, 11-25 and 27-28 are pending. Claims 1, 11 and 23 are amended. No new matter has been added.

35 U.S.C. § 103(a) Rejections

Claims 1-3, 6-7 and 9

According to the instant Office Action, Claims 1-3, 6-7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,751,623 ("Basso") in view of U.S. Patent No. 6,593,936 ("Huang"). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 1-3, 6-7 and 9 are patentable over Basso in view of Huang for at least the following reasons.

In the instant Office Action, the Examiner maintains that Basso discloses updating description information and cites numerous portions of Basso in support. Applicants have carefully read the cited portions of Basso as well as Basso in its entirety and conclude that Basso does not teach that which it is relied upon as teaching. Applicants respectfully submit that the interpretation of Basso presented in the Office Action is a strained interpretation of that reference, and that such an interpretation could be made only by impermissible hindsight gleaned from the Applicants' own disclosure.

According to the cited portions of Basso, individual components of a scene are coded as independent objects. Basso appears to teach scene description information that defines the spatial-temporal location of the objects – that is, the scene description information defines how the objects are to be

positioned in space and time to construct a scene. The objects can be stored in one or more files that may be stored locally or remotely. The scene descriptions use a tree-based structure and can be dynamically updated. The scene descriptions are encoded and transmitted to a receiver, which has the responsibility for composing the objects.

While Basso mentions that the scene description information can be dynamically updated, Applicants respectfully submit that Basso does not teach all of the limitations of independent Claims 1, 11 and 23. According to the claims, a description of audio-visual content resides on a client – instead of transferring an entirely new description from a server to the client in order to update a particular node of the description, the server sends to the client: i) a command that indicates the type of update (e.g., an add, delete or change command), ii) the location of the particular node, and iii) any data related to the update – the client can then perform the update. Applicants respectfully submit that these limitations are not shown or suggested by Basso. Instead, Basso only appears to teach that scene description information is encoded and transmitted to a client – Applicants respectfully submit that Basso does not teach the capability to update scene description information that has been transmitted to and resides on the client, in particular in a node-by-node fashion as claimed. In other words, Applicants respectfully submit that Basso does not show or suggest updating a particular node in a description that resides on a client by sending, from a server to the client, a command that indicates the type of update, the location of the particular node, and data (if any) related to the update, as claimed. Instead, Basso only appears to teach transmitting scene description

information en masse from a server to a client. This shortcoming of Basso is one of the problems addressed by the present claimed invention.

Applicants respectfully submit that Huang does not overcome the shortcomings of Basso. The Examiner maintains that Huang teaches updating a description using Data Description Language (DDL). Applicants respectfully disagree. But regardless of whether or not Huang teaches updating a description, Applicants respectfully submit that Huang (alone or in combination with Basso) does not show or suggest updating a particular node in a description that resides on a client by sending, from a server to the client, a command that indicates the type of update, the location of the particular node, and data (if any) related to the update, as claimed. As understood by the Applicants, Huang teaches a system that includes a server 900 coupled to a client 940 via a network 930, but although Huang's system is described as performing certain functions, those functions do not include updating a particular node in a description that resides on the client, and in particular those functions do not include updating a particular node in a description that resides on the client in the manner recited in independent Claim 1.

Therefore, Applicants respectfully assert that Basso and Huang, alone or in combination, do not show or suggest the limitations of independent Claim 1. Accordingly, Applicants respectfully assert that the basis for rejecting Claim 1 under 35 U.S.C. § 103(a) is traversed and that Claim 1 is in condition for allowance. Also, Applicants respectfully assert that the basis for rejecting Claims 2-3, 6-7 and 9 under 35 U.S.C. § 103(a) is traversed and that Claims 2-3, 6-7

and 9 are in condition for allowance as being dependent on an allowable base claim.

Claims 11-25 and 27-28

According to the instant Office Action, Claims 11-25 and 27-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Huang in view of Basso. Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 11-25 and 27-28 are patentable over Huang in view of Basso.

As presented above, Applicants respectfully submit that Huang and Basso, alone or in combination, do not show or suggest the limitations of Claim 1. By similar rationale, Applicants respectfully assert that Huang and Basso, alone or in combination, do not show or suggest the limitations of independent Claims 11 and 23.

Accordingly, Applicants respectfully assert that the basis for rejecting Claims 11 and 23 under 35 U.S.C. § 103(a) is traversed and that Claims 11 and 23 are in condition for allowance. Also, Applicants respectfully assert that the basis for rejecting Claims 12-22, 24-25 and 27-28 under 35 U.S.C. § 103(a) is traversed and that Claims 12-22, 24-25 and 27-28 are in condition for allowance as being dependent on an allowable base claim.

Claims 4-5 and 8

According to the instant Office Action, Claims 4-5 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Basso in view of Huang,

and further in view of ISO/IEC MPEG 00/N3575 ("ISO/IEC"). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 4-5 and 8 are patentable over Basso in view of Huang and further in view of ISO/IEC for at least the following reasons.

Claims 4-5 and 8 depend from independent Claim 1. Hence, by demonstrating that the combination of references cited above does not show or suggest the limitations of Claim 1, it is also demonstrated that those references do not show or suggest the limitations of Claims 4-5 and 8.

As presented above, Applicants respectfully assert that Basso and Huang, alone or in combination, do not show or suggest the limitations of Claim 1. Applicants further assert that ISO/IEC does not overcome the shortcomings of Basso and Huang. The shortcomings of ISO/IEC with regard to the present claimed invention are presented in the Background Art section of the instant application.

Therefore, Applicants respectfully assert that Basso, Huang and ISO/IEC, alone or in combination, do not show or suggest the limitations of independent Claim 1 and that Claim 1 is patentable over Basso, Huang and ISO/IEC. Accordingly, Applicants respectfully assert that the basis for rejecting Claims 4-5 and 8 under 35 U.S.C. § 103(a) is traversed and that Claims 4-5 and 8 are in condition for allowance as being dependent on an allowable base claim.



Conclusions

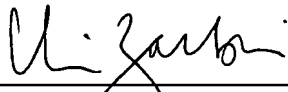
Based on the arguments presented above, Applicants respectfully assert that Claims 1-9, 11-25 and 27-28 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

MURABITO HAO & BARNES L.L.P.

Dated: 9/17, 2007



William A. Zarbis
Registration No. 46,120

Two North Market Street
Third Floor
San Jose, CA 95113